

REMARKS

I. THE CITED REFERENCE CANNOT SUSTAIN A §102 OR §103 REJECTION OF THE AMENDED CLAIMS

The Examiner rejected claims 1-5, 8-14, 17, and 20 under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent 6,892,069 to Flynn (hereafter “Flynn”). The Examiner also rejected dependent claims 6, 7, 15, 16, 18, and 19 under 35 U.S.C. § 103 in view of the combination of several different prior art references. Claims 6-7 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Flynn in view of U.S. Patent 6,804,221 to Marget (hereafter “Marget”). Claims 15 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Flynn in view of U.S. Patent 6,681,259 to Lemilainen. Claims 16 and 19 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Flynn in view of U.S. Patent 6,771,609 to Gudat

The independent claims 1, 9, and 17 were rejected citing Flynn as the only prior art reference. Under 35 U.S.C. §102, the prior art must disclose each and every claim element for an invention to be anticipated by prior art. *Constant v. Advanced Minor-Devices, Inc.*, 848 F. 2d 1560 (Fed. Cir. 1988). All claim limitations of the invention must also be considered in determining patentability. *Hewlett-Packard Co. v. Bausch & Lomb, Inc.*, 909 F. 2d 1464 (Fed. Cir. 1990). Almost is not enough; the prior art must disclose all the elements. *Connell v. Sears, Roebuck & Co.*, 722 F. 2d 1542 (Fed. Cir. 1983). Accordingly, the absence of any claimed element negates anticipation under §102.

Claims 1, 9, and 17 have been amended to add additional limitations not found in the cited art. The amended independent Claims 1, 9, and 17 include new limitations describing the information packets containing the expanded address, allocating a node on

the home network to forward information packets to the care-of address, and updating a plurality of nodes on the home network with the care-of address. These additional claim elements are not taught, disclosed, or suggested by the cited art.

Flynn fails to teach, suggest, or disclose the invention as claimed in the amended independent claims 1, 9, and 17. Flynn teaches registering a care-of address obtained on a foreign network with its home agent by exchanging Registration Request and Registration Reply messages. The mobile node sends a Registration Request message to the foreign agent, which then forwards it to the home agent. The home agent transmits a Registration Reply message to the foreign agent granting or denying the request, which processes the Reply before forwarding it to the mobile node. *Flynn, col. 2, ln. 9-43.*

Flynn fails to teach, disclose, or suggest the added claim limitations describing the information packet format, the node on the foreign network providing the care-of address, the ability of that node to assign a unique care-of address to a plurality of mobile nodes connecting to the network, allocating a node on the home network to forward information packets to the mobile node at the care-of address with a binding message, or updating a plurality of nodes on the home network with the care-of address. Further, neither mobility managers nor server computers are taught, suggested, or disclosed by Flynn as claimed in the invention.

Flynn is the only cited reference for rejecting the independent claims in a § 102(e) rejection, and Flynn cannot support a § 102(e) rejection of the amended claims because it fails to disclose, teach, or suggest essential claim elements as identified above. It is believed that these amended independent claims are allowable. Because the dependent

claims add further limitations to the allowable independent claims 1, 9, and 17, the Applicants believe the dependent claims are likewise allowable.

II. THE AMENDED CLAIMS CURE THE 35 U.S.C. § 112 REJECTION

Claims 15 and 16 have been amended to provide proper antecedent bases for the claims. Claim 19 has been amended to correctly depend from the base independent Claim 17.

III. CONCLUSION

The amended claims are distinguishable from the teachings of the cited references. The Applicants believe that the argument and amended claims 1, 9, and 17 traverse the Examiner's 35 U.S.C. § 102(e) and § 103(a) rejections. The § 112 rejections are also believed traversed. Independent claims 1, 9, and 17 are allowable because the Flynn reference fails to disclose, teach, or suggest all the claimed limitations of the amended independent claims. Since the dependent claims add further limitations to the allowable independent claims, the Applicants believe the dependent claims are likewise allowable. Accordingly, pending claims 1-20 are believed allowable because the claimed invention is not disclosed, taught, or suggested by the cited references.

It is believed that no additional fees are necessary for this filing. If additional fees are required for filing this response, then the appropriate fees should be deducted from D. Scott Hemingway's Deposit Account No. 501,270.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Malcolm W. Pipes". The signature is fluid and cursive, with the first name "Malcolm" being more prominent.

Malcolm W. Pipes
Reg. No. 46,995
Attorney for Applicant

Hemingway & Hansen, LLP
460 Preston Common West
8117 Preston Road
Dallas, Texas 75225
(214)292-8301 (voice)
(214)739-5209 (fax)